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LETTER DATED 28 APRIL 1997 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a letter dated 23 April 1997 from the President of Georgia, Mr. Eduard Shevardnadze, regarding the situation in Abkhazia, Georgia.

May I ask your kind assistance in having the present letter and its annex circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

97-11275 (E) 280497

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Annex

Letter dated 23 April 1997 from the President of Georgia addressed to the President of the Security Council

I want to express to you my deepest personal regards and to welcome you as President of the Security Council. I would also like to greet the new Security Council members and wish them success in their work, which carries such enormous responsibility.

On behalf of the Government of Georgia, I thank the United Nations and the Security Council, whose resolutions have helped develop the legal framework for the settlement of the conflict in Abkhazia. In this regard, of particular importance are also the final documents of the Budapest and Lisbon summits of the Organization on Security and Cooperation in Europe (OSCE), wherein the past and continuing ethnic cleansing conducted by the separatist leaders and the mass destruction of the civilian population - predominantly Georgians - are clearly renounced. These documents were largely based on the conclusions of the State Commission for the Investigation of the Policy of Ethnic Cleansing/Genocide carried out against the Georgian Population in Abkhazia, Georgia.

This Commission recently completed its work. Their evidence points to the separatist policy of forcibly altering the demographics of Abkhazia and to the grave atrocities committed in the process. The Commission's findings were disseminated in documents of the United Nations, as well as of the Commission on Human Rights. All this suggests that we could consider punitive measures against these perpetrators of crimes against humanity, especially since the issue of creating an international criminal court is now on the United Nations agenda. It would be desirable for the United Nations to contemplate sending experts to Georgia, who would, both independently and jointly with the Commission, make a full examination of the facts of grave crimes, including ethnic cleansing, since the Abkhaz territory is inaccessible to us today.

I would like to draw the attention of the honoured members of the Security Council to the fact that according to the latest decisions of the Heads of the Commonwealth of Independent States, the peacekeeping forces are to move deeper into the conflict zone and create security guarantees for repatriated refugees and internally displaced persons. There are, however, signs that the successful implementation of this operation is threatened, primarily because the separatist leadership opposes their return, as is the phased restoration of the natural regional demographics which would be an inevitable consequence of an expanded peacekeeping mandate.

The separatist leadership continues to engender chaos in the region, while blaming the Georgian side for violating agreements. They terrorize the returnees and plant landmines in the Gali and Ochamchira regions. This hinders the peacekeepers and the United Nations Observer Mission in Georgia from carrying out their mandates. It is becoming obvious that under such circumstances the implementation of the organized and dignified return of the refugees and internally displaced persons in accordance with the timetable worked out by the quadripartite agreement on voluntary return of refugees and

displaced persons of 4 April 1994 and the United Nations High Commissioner for Refugees - which is a main component of the conflict settlement - is not feasible.

Regrettably, United Nations appeals to the separatist regime and its approval of Georgia's proposals regarding conflict resolution have been thus far unsuccessful. It is clear that without drastic measures, the situation is approaching a critical point, and that with further exacerbation, it could become irreversible. It is impossible to rely indefinitely on methods of persuasion. It is time to consider the combination of persuasion and coercion. In our opinion, it is imperative that the United Nations role in the solution of the conflict be invigorated, and we must plan for its comprehensive resolution based on the principles of the United Nations and OSCE.

In order to achieve a political settlement of the conflict, Georgia remains ready to take any step recommended by the Security Council. We are confident that the Abkhaz, the Georgians and representatives of all ethnicities living in the region will be able to coexist peacefully in the future. This will be ensured by the pertinent decisions of the United Nations and the Security Council.

(Signed) Eduard SHEVARDNADZE